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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/477,034	12/31/1999	LANCE W. DOVER	042390.P6115	8629

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EXAMINER

SURYAWANSHI, SURESH

ART UNIT	PAPER NUMBER
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2185

DATE MAILED: 09/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/477,034

Applicant(s)

DOVER ET AL

Examiner

Suresh K Suryawanshi

Art Unit

2185

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 December 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5,6,7,10,11. 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-30 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Pockrandt (US Patent no 4,768,210).

4. As per claims 1, 11 and 30, Pockrandt teaches

Maintaining a value for a first counter [fig. 1, digital counter; col. 3, lines 1-2];

Maintaining a value for a second counter based on a content of a non-volatile memory [fig. 1, counter content register; col. 3, lines 4-9]; and

Controlling updates to the value for the first counter and to the value for the second counter [fig. 1, timing/cycle control unit; col. 3, lines 4-9, 18-21].

5. As per claims 2, 13 and 28, Pockrandt teaches that the controlling comprises updating the value for the second counter when the value for the first counter meets a predetermined condition [col. 3, lines 42-46; predetermine programming level].

6. As per claim 3, Pockrandt teaches

Reading the value for the first counter and the value for the second counter [inherent in the system as read and write process has to be done in transferring the value from one to another register; col. 3, lines 4-9];

Wherein the controlling comprising updating the value for the first counter in response to the reading of the value for the first counter and the value for the second counter [col. 1, lines 55-68; col. 3, lines 26-29].

7. As per claims 4, 14 and 29, Pockrandt teaches that updating the value for the second counter upon a power on reset [col. 3, lines 12-21, 57-67; col. 4, lines 1-7].

8. As per claim 5, Pockrandt teaches that updating the value for the second counter by a number by programming that number of bit location(s) in a flash memory [inherent in the process of writing the new value; fig. 1].

9. As per claims 6, 16, 19 and 22, Pockrandt teaches that updating the value for the second counter by updating a first block of flash memory and updating a second block of flash memory when the first block of flash memory meets a predetermined condition [fig. 1; col. 3, lines 1-9].

10. As per claim 7, Pockrandt teaches

Reading a value for a monotonic counter [fig. 1; col. 3, lines 1-9]; and

Updating the value for the monotonic counter [fig. 1; col. 3, lines 26-46].

11. As per claims 8 and 10, Pockrandt teaches that updating the value for the monotonic counter comprises updating a flash memory [inherently flash memory containing the content registers; fig. 1].

12. As per claim 9, Pockrandt teaches

Powering on a monotonic counter, the monotonic counter at least partially basing a value on a content of a non-volatile memory [fig. 1; col. 3, lines 1-9]; and

Updating the value for the monotonic counter [col. 3, lines 10-21; Cycle A and Cycle B].

13. As per claims 12 and 27, Pockrandt teaches that the control logic controls the first counter to update the first value when the first and second values are read [col. 1, lines 55-68; col. 3, lines 26-29].

14. As per claims 15, 18 and 21, Pockrandt teaches that the non-volatile memory comprises flash memory [inherent as flash memory being one kind of non-volatile memory]; and

Where in the control logic controls programming a number of bit location(s) in the flash memory to update the second value [inherent to the system as writing a new value; fig. 1].

15. As per claim 17, Pockrandt teaches

Non-volatile memory [col. 3, lines 4-9]; and

Circuitry to maintain a value for a monotonic counter [fig. 1; col. 3, lines 1-46].

16. As per claim 20, Pockrandt teaches
Non-volatile memory [col. 3, lines 4-9]; and
Circuitry to maintain a value for a monotonic counter [fig. 1; col. 3, lines 1-21].
17. As per claim 23, Pockrandt teaches
One or more registers to store a first value [fig. 1];
A first adder to maintain the first value [inherent in system as incrementing the count];
Flash memory [inherent to a computer system having a flash memory];
One or more register to store a second value [fig. 1];
A second adder to maintain the second value based on one or more programmed bit location in the flash memory [inherent in system as incrementing the count]; and
A control engine to control the flash memory and the first and second adders [fig. 1 containing the cycle/timing control unit; col. 3, lines 1-9].
18. As per claim 24, Pockrandt teaches
Flash memory [inherent in a computer system];
One or more registers to store a value [fig. 1];
An adder to maintain the value based on one or more programmed bit locations in the flash memory [inherent in system as incrementing the count]; and
A control engine [fig. 1 containing the cycle/timing control unit; col. 3, lines 1-9].

19. As per claim 25, Pockrandt teaches

Flash memory [inherent in a computer system];

One or more registers to store a value [fig. 1];

And adder [inherent in system as incrementing the count]; and

A control engine [fig. 1 containing the cycle/timing control unit; col. 3, lines 1-21].

20. As per claim 26, Pockrandt teaches

A first counter to maintain a first value [fig. 1; col. 3, lines 1-9];

A second counter to maintain a second value [fig. 1; col. 3, lines 1-9];

Control logic to control updating [fig. 1; col. 3, lines 1-9; cycle/timing control unit]; and

One or more processors to read the first and second value [inherent in a computer system to have one or more processors].

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Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suresh K Suryawanshi whose telephone number is 703-305-3990. The examiner can normally be reached on 8:30am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 703-305-9717. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

sks

August 29, 2002



THOMAS LEE
SUPERVISORY PATENT EXAMINER
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